

REMARKS

By this Amendment, a replacement Abstract is provided in full conformance with the requisite sections of the C.F.R. Claims 1-20 are pending.

The Office Action rejected claims 1-16 and 19-20 as being anticipated by Kudoh et al. (U.S. 5,414,702; hereafter “Kudoh”) and rejected claims 17-18 as being unpatentable over Kudoh in view of Duault et al (U.S. 5,930,265; hereafter “Duault”). Applicant respectfully traverses these rejections because the cited prior art fails to disclose, teach or suggest the claimed invention.

For example, as previously asserted, Kudoh, analyzed individually or in combination with Duault, fails to disclose, teach or suggest the claimed data segmentation methods including “segmenting larger data units of a higher layer into smaller protocol data units of a lower layer so that *each lower layer protocol data unit includes one or more data segments each containing data from a different one of the upper layer data units*; providing the lower layer protocol data units *containing two or more data segments, with segmentation length information* which otherwise indicates length of the data segments; indicating with predetermined values of the segmentation length information, *special information about the higher level protocol data units instead of the length of the segments*. . . transmitting the lower level protocol data units to a receiving end; [and] assembling the segmented higher level data unit at the receiving end by means of the segmentation length information. . .,” as recited in claims 1-9 or the subject matter similarly recited in independent claim 15.

Similarly, Kudoh, analyzed individually or in combination with Duault, fails to disclose, teach or suggest the claimed telecommunications system, comprising “means for segmenting the upper layer data units for insertion into smaller protocol data units of a lower layer so that *each lower layer protocol data unit includes one or more data segments, each containing data from a different one of the upper layer data units*; . . . means for providing a predetermined value *in the segmentation length information to a receiver, the predetermined value including special information about the higher level data units instead of the length of the data segments at least in the lower layer protocol data units containing two or more data segments*; [and] . . . means for assembling the segmented higher level data units from received lower layer protocol data units at the receiver by means of the segmentation length information in the protocol data units. . .,” as recited in claims 11-14 or the subject matter similarly recited in independent claim 16.

Further, Kudoh, analyzed individually or in combination with Duault, fails to disclose, teach or suggest the claimed mobile station “configured to segment said first data units into data segments that can be accommodated by the second data units for insertion into the second data units, each second data unit including one or more data segments; *the mobile station being configured to insert a segmentation length information in the second data unit when the second data unit contains data from two or more of the first data units*; the mobile station being configured to set a predetermined value *for the segmentation length information* in order to provide a receiver with special information about the first data units, values of said segmentation length information other than said predetermined values indicating the length of the data segments; [and] the mobile station being configured to assemble the segmented first data unit from received second data units at the receiver by means of the segmentation length information included in said second data units. . .,” as recited in claims 17-18.

Similarly, Kudoh, analyzed individually or in combination with Duault, fails to disclose, teach or suggest the claimed network element “configured to segment said first data units into data segments that can be accommodated by the second data units for insertion into the second data units, each second data unit including one or more data segments; *the network element being configured to insert a segmentation length information in the second data unit when the second data unit contains data from two or more of the first data units*; the network element being configured to set a predetermined value for the segmentation length information in order to provide a receiver with special information about the first data units at least in the lower layer protocol data units containing two or more data segments, values of said segmentation length information other than said predetermined values indicating the length of the data segments; [and] the network element being configured to assemble the segmented first data unit from received second data units at the receiver by means of the segmentation length information including in said second data units. . .,” as recited in claims 19 and 20.

In response to the previously asserted arguments for patentability of the pending claims, the outstanding Office Action has alleged that the claims fail to recited feature of “a lower layer PDU which contains two or more data segments of the higher layer data units.” As a result, the Office Action has not afforded any patentable weight to the argument.

In response, Applicant directs the Office’s attention to, for example, independent claim 1, which recites (at lines 4-5) that “each lower layer protocol data unit includes one or more data segments each containing data from a different one of the upper layer data units.”

Thus, when the lower layer protocol data unit contains more than one data segment, the data in these data segments are from different upper layer data units.

Further, lines 6-7 of claim 1 recites that lower layer protocol units containing two or more data segments are provided with segmentation length information which otherwise indicates the length of the data segments. Thus, the provision of segmentation length information is performed for lower layer protocol data units containing two or more data segments, (i.e., the data units that have data segments from different upper layer data units). Moreover, lines 8-11 of claim 1 recites that the indication with predetermined values of the segmentation length information, special information about the higher level protocol data units instead of the length of the segments; thus, that indication is also performed for the lower layer protocol data units containing two or more data segments.

Corresponding arguments pertain to the other pending claims. Accordingly, when read as a whole, each of the claims expressly recites subject matter pertaining to “a lower layer PDU which contains two or more data segments of the higher layer data units.”

In response to Applicant's previously asserted arguments for patentability over Kudoh, the Office has again asserted that column 3, lines 50-67 of Kudoh teaches an indication of special information about higher level protocol data units using predetermined values of segmentation length information. However, the length information LI indicates the length of SAR-PDU except for padding. Thus, the length information LI merely indicates the effective length of the data field in the SAR-PDU.

To the contrary, in the claimed invention, segmentation length information is used, in the lower layer protocol data units containing two or more data segments, to indicate information about higher level protocol data units instead of the length of the segments or the effective length of the data field. However, Kudoh, analyzed individually or in combination with Duault, fails to teach the segmentation length information as recited in the present claims.

Thus, the combined teachings of Kudoh and Duault fail to disclose, teach or suggest the claimed invention including the recited means and method operations for pertaining to “a lower layer PDU which contains two or more data segments of the higher layer data units.” Accordingly, claims 1-20 are patentable over the teachings of Kudoh, analyzed individually or in combination with Duault, and claims 1-20 are allowable.

All rejections and objections having been addressed, it is respectfully submitted that the present application is now in condition for allowance, and a notice to that effect is

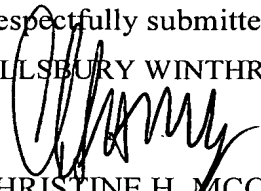
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earnestly solicited. Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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